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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,492	09/11/2001	David John Hollick	B&H011USS5487	7155
7590	12/17/2003		EXAMINER	
Marguerite Gerstner Tyco Electronics Corporation 307 Constitution Drive MS R20 2B Menlo Park, CA 94025-1164			LEON, EDWIN A	
			ART UNIT	PAPER NUMBER
			2833	
DATE MAILED: 12/17/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/936,492	HOLICK, DAVID JOHN
	Examiner Edwin A. León	Art Unit 2833 MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 October 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 and 8-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 and 8-29 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed October 9, 2003, in which Claims 8, and 23 have been amended, and new Claims 28-29 have been added, has been place of record in the file as Paper No. 13.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in–
 - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1, 6, 13-14, 17, 20-22 and 24-29 rejected under 35 U.S.C. 102(e) as being anticipated by Tsou (U.S. Patent No. 6,109,984). With regard to Claims 1, 13-14, 17, 20-22 and 24-29, Tsou discloses an electrical connector (Fig. 3) comprising a connector body (54) including a tubular socket (54) configured to receive an electrical conductor (70), clamping means (Column 5, Lines 3-5) arranged to secure the electrical

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conductor (70) within the socket (54), and a tubular socket insert (58) and fitting within the tubular socket (54) so as to reduce the effective size of the socket (54) and the socket insert (58) having a diameter selected to reduce an effective diameter of the socket (54) to reduce eccentricity of positioning of the electrical conductor (70) within the electrical connector (Fig. 3), the clamping means (Column 5, Lines 3-5) comprising at least one clamping bolt (Column 5, Lines 3-5) held in respective threaded bores (62) in the connector body (54) such that the at least one clamping bolt (Column 5, Lines 3-5) extends into the socket (54) so as to clamp, via the socket insert (58) and the electrical conductor (70) is received within the tubular socket (54) insert to position the socket insert (58) between the clamping member (Column 5, Lines 3-5) and the electrical connector (Fig. 3) and between an opposing surface of the socket (54) relative to the clamping member (Column 5, Lines 3-5) and the electrical conductor (70). See Figs. 3-5.

With regard to Claim 6, Tsou discloses the socket (54) being a bore (60) of substantially circular cross-section. See Figs. 3-5.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 2 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsou (U.S. Patent No. 6,109,984) in view of Dupont (U.S. Patent No. 5,630,737). With regard to Claims 2 and 19, Tsou discloses the claimed invention except the socket insert being aluminum.

Dupont discloses a socket (1) made of aluminum. See Fig. 1, and Column 3, Lines 9-16.

Thus, it would have been obvious to one with ordinary skill in the art to modify the connector of Tsou by using aluminum to make the socket insert as taught in Dupont in order to improve the electrical conductivity of the insert.

6. Claims 3-4, 9-12, 15-16, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsou (U.S. Patent No. 6,109,984) in view of Pranch (U.S. Patent No. 4,687,273). With regard to Claims 3-4, 9, 11-12, 15-16, and 23, Tsou discloses the claimed invention except for the insert having a castellated or a corrugated profile on an outside surface.

Pranch discloses a connector having socket insert (2) having a castellated or corrugated profile (4) on an outside surface. See Fig. 1.

Thus, it would have been obvious to one with ordinary skill in the art to modify the connector of Tsou by including a castellated or corrugated profile on an outside surface of the socket insert as taught in Pranch to improve the mechanical strength of the retaining engagement between the connector and the insert.

With regard to Claim 10, the combination of Tsou and Pranch disclose the claimed invention except the socket insert being aluminum.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to make the socket insert of aluminum, since it has been held to be within the general ordinary skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

7. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsou (U.S. Patent No. 6,109,984) in view of Lamome (U.S. Patent No. 5,422,438). With regard to Claims 5 and 18, Tsou discloses the claimed invention except for the insert having an internal surface having a castellated or a corrugated profile.

Lamome discloses a connector having an insert with an internal surface of the tubular socket insert (3) having a castellated or a corrugated profile (8). See Figs. 1-2

Thus, it would have been obvious to one with ordinary skill in the art to modify the connector of Tsou by including a castellated or corrugated profile on an inside surface of the socket insert as taught in Lamome to improve the mechanical strength of the retaining engagement between the conductor and the insert.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsou (U.S. Patent No. 6,109,984) in view of Polidori (U.S. Patent No. 5,320,565). Tsou discloses the claimed invention except at least one clamping bolt including a shearable head that shears off when a torque applied to the shearable head exceeds a predetermined value.

Polidori discloses a connector (10) having at least one clamping bolt (46) including a shearable head (45) that shears off when a torque applied to the shearable head (45) exceeds a predetermined value. See Fig. 4 and Column 38-47.

Thus, it would have been obvious to one with ordinary skill in the art to modify the connector of Tsou by including at least one clamping bolt including a shearable head that shears off when a torque applied to the shearable head exceeds a predetermined value as taught in Polidori to prevent over torquing.

Response to Arguments

9. Applicant's arguments filed October 9, 2003 have been fully considered but they are not persuasive. In response to Applicant's arguments regarding Claims 1, 13, and 21-22 that the Tsou reference doesn't show the conductor being received in the cavity, and the bolt clamping the insert and the conductor against an opposing surface of the cavity, Applicant's attention is directed to Column 7, Lines 1-49 in which the Tsou reference clearly discloses that the conductor (70) can be received in the cavity (57) and the bolt (Column 5, Lines 3-5) clamping the insert (58) and the conductor (70) against an opposing surface of the cavity (57). The fact that these features are met in a repair mode as mentioned in the Tsou reference does not preclude the claims from being anticipated by Tsou.

In response to Applicant's arguments regarding Claims 1, 13, and 21-22 that the Tsou reference doesn't show the socket insert having a diameter selected to reduce an

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effective diameter of the socket to reduce eccentricity of positioning of the electrical conductor within the electrical connector, Applicant's attention is directed to Fig. 4 in which the Tsou reference clearly discloses the socket insert (58) having a diameter selected to reduce an effective diameter of the socket (54) to reduce eccentricity of positioning of the electrical conductor (70) within the electrical connector (Fig. 3). It is deemed inherent that by inserting the insert (58) in the connector (Fig. 3) it will reduce the eccentricity of positioning of the electrical conductor (70) within the electrical connector (Fig. 3).

In response to Applicant's arguments regarding Claims 1, 13, and 21-22 that the Tsou reference doesn't show the bore retaining the insert, Applicant's attention is directed to Fig. 4 in which the Tsou reference clearly discloses the socket insert (58) being retained by the bore (62) helped by barb (64) and a bolt (Column 5, Lines 3-5). As shown in Fig. 4, the barb (64) would help retain the insert (58) inside the socket (57). Also is deemed inherent that if the bolt (Column 5, Lines 3-5) is inserted in to bore (62) it would push barb (64) outside bore (62) but would allow the bolt (Column 5, Lines 3-5) to retain the insert (58) by entering an aperture that would be formed by deforming the barb (64) in to the insert (58).

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Edwin A. Leon
Edwin A. Leon
AU 2833

EAL
December 13, 2003

P. Bradley
P. AUSTIN BRADLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800